

**Springerville Planning & Zoning Commission  
Regular Meeting Minutes  
Nov. 18, 2004**

Present: Chairman Bill Lucas, Betty Amator, Steve Martin, Kay Matthews  
Absent: Vice Chairman Larry Martin  
Staff: Larisa Bogardus, Zoning Administrator  
Public: Pat and Evelyn Arabie, Susan Silva, Jim Muth, David and Michelle Schabatka, Darcy Boyle, Carol Haverstick.

**1. CALL TO ORDER**

Chairman Bill Lucas called the meeting to order at 7 p.m.

Roll Call: Present: Bill Lucas  
Betty Amator  
Steve Martin  
Kay Matthews

Absent: Larry Martin

**2. PUBLIC PARTICIPATION: None**

**CONSENT ITEMS**

**3. MINUTES:**

Motion by Kay Matthews, second by Steve Martin to approve the minutes from the Sept. 9, 2004 regular meeting. Passed 4-0.

**ADMINISTRATION**

- 4. INTRODUCTION OF COUNCIL LIAISON:** Councilman Pete Hunt was introduced as the council liaison. Ms. Bogardus explained that his job is to provide a link between P&Z and the council, by attending P&Z meetings and reporting back to council, and also serve as a contact person on council.
- 5. ZONING ADMINISTRATOR'S REPORT:** Ms. Bogardus said a written report was included in the packets.
- 6. RULES OF PROCEDURE:** Ms. Bogardus said she would provide amended copies for final approval at the December meeting as discussed during the work session. No action taken.
- 7. MINUTES OF THE FEB. 12, 2004 MEETING:** Ms. Bogardus explained the proper procedure for clarifying the original minutes. Commissioner Amator said she felt a transcript would be better. Ms. Bogardus said that would have to be approved by the manager and/or council due to the cost involved. Motion by Betty Amator to request a complete transcript of the meeting, second by Kay Matthews. Passed 4-0.

8. **CUP 030702-B:** Jim Muth said names should not be attached to applications, as the permit goes with the property. Chairman Lucas thanked Mr. Muth for his input but said that was not relevant to the business at hand. Mrs. Silva said Mr. Moses was assured by the former town manager/zoning administrator that the permit issue would be dropped and the property would be treated as a rezone. She went on to say Mr. Moses requested the extension at the request of the new town manager. Chairman Lucas read the conditions allowed. It was decided to remove the condition requiring an ADOT-approved fence, as ADOT has indicated the existing fence is satisfactory. Mr. Muth said he had the legal description for the utility easement ready and was waiting for town staff to provide an easement form for filing. Motion by Betty Amator to continue the easement for 12 months, second by Steve Martin. Passed 3-1.

### **NEW BUSINESS**

9. **CUP 2004-012:** Ms. Haverstick asked if a bamboo-type screen could be added to the fence for privacy. Ms. Bogardus said the fenceline is far enough back from the road not to pose a safety hazard. Motion by Steve Martin to allow the fence with a privacy screen, second by Kay Matthews. Passed 4-0.
10. **CUP 2004-013:** Ms. Boyle said she is a seasonal Forest Service employee and only lives here part of the year. She admitted the dogs escaped the yard on one occasion and attacked a neighbor's dog, but that she has established a more secure gate system. On another occasion, several of the dogs attacked one of her dogs, causing injuries resulting in the dog's death. In response to neighbors' concerns, she said she has moved the dogs to a fenced area away from abutting properties. Mr. and Mrs. Schabatka expressed concern for the safety of neighborhood children and asked that the permit be denied. Ms. Bogardus explained that the code mandates the granting of a permit, but conditions can be attached. After some discussion, Ms. Boyle agreed to allow no more than three dogs out in the yard at one time and restrict them to the fenced area separated from abutting yards. Motion by Steve Martin to allow the permit with conditions, second by Bill Lucas. Tie vote, 2-2, continued to the December meeting.
11. **CUP 2004-014:** Ms. Bogardus explained that the Senas were requesting the same permit issued previously, which had expired. Motion by Kay Matthews to reissue the permit with the same conditions, second by Betty Amator. Passed 4-0.
12. **CUP 2004-015:** Chairman Lucas proposed switching items 12 and 13 to allow the public to participate in item 13 if desired. Commissioner Amator asked if any part of the property lay outside the incorporated limits. Mr. Muth said that was irrelevant as the developer was prepared to meet all town standards. Chairman Lucas read the recommended conditions: That the development meet all MF-7 standards; the developer be responsible for all infrastructure; any water and sewer easement be at least 16 feet wide; and that hydrants be installed at Main Street and between the third and fourth units. Mr. Muth said 8 feet was the standard easement width on a single lot. Ms. Bogardus said the easement measurement was derived when it appeared the easement would follow lot lines, but that 8 feet would be acceptable if the easement bisected lots. Motion by Betty Amator to approve the permit with the recommended conditions, but amending the easement width to 8 feet, second by Kay Matthews. Passed 4-0.
13. **CODE AMENDMENTS:** Discussion began with item 3. Ms. Bogardus said the change would expand the pool of potential appointees to the commission. Mrs. Arabie said it is illegal to appoint a non-resident under the state statutes. Ms. Bogardus replied that other communities allow it and the Arizona Department of Commerce saw nothing wrong with it. Commissioner Amator said she would prefer to change the requirements to a property owner and qualified

elector rather than simply a resident. Ms. Bogardus said she would check the ramifications of such a change and report back to the commission. Commissioner Amator also suggested amending the expiration of terms to allow time for reappointments. Chairman Lucas noted this would have to be discussed at a future meeting as it was not included on the agenda. Ms. Bogardus explained that item 1 is mandated and while the town has practiced this in the past, it is not specifically included in the code. The change would add the same language requiring notification in the conditional use permit regulations to the rezoning regulations. Item 2 came up at the request of an individual wanting to erect a residence on their commercial lot in addition to a business. Ms. Bogardus explained that the code allows site-built homes in commercial zones, but not mobile or manufactured homes, although mobile/manufactured home parks are allowed. Commissioner Amator said she was opposed to changing the code every time someone doesn't like the regulations in place. Chairman Lucas added that the increasing lack of commercial space made him reluctant to expand residential opportunities in commercial zones. Motion by Steve Martin to endorse item 1, reject item 2 and address item 3 again later; second by Kay Matthews. Passed 4-0.

**ADJOURNMENT:** Motion by Kay Matthews, second by Steve Martin to adjourn. Passed 4-0.

The meeting adjourned at 8:50 p.m.

---

William Lucas, Chairman